

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

INTERNATIONAL BUSINESS MACHINES  
CORPORATION,

Plaintiff,

v.

GROUPON, INC.,

Defendant.

Civil Action No. 16-122-LPS

**STIPULATION AND [PROPOSED] ORDER TO AMEND SCHEDULING ORDER**

Plaintiff International Business Machines Corporation (“IBM”) and Defendant Groupon, Inc. (“Groupon”) jointly stipulate, subject to the approval of the Court, that the schedule set forth in this Court’s Scheduling Order (D.I. 17) is amended as forth below:

| Event  | Current Date      | Revised Date                |
|--|-------------------|-----------------------------|
| Reply expert reports   | November 22, 2017 | December 6, 2017            |
| IBM supplemental invalidity expert report for '601 patent                  | December 6, 2017  | December 13, 2017           |
| Groupon reply to IBM supplemental invalidity expert report for '601 patent | December 13, 2017 | December 20, 2017           |
| Opening Summary Judgment and Daubert Briefs                                | January 26, 2018  | March 5, 2018               |
| Rebuttal Summary Judgment and Daubert Briefs                               | February 9, 2018  | March 19, 2018              |
| Reply Summary Judgment and Daubert Briefs                                  | February 16, 2018 | March 28, 2018              |
| Summary Judgment and Daubert Hearing                                       | March 6, 2018     | April ____, 2018            |
| Final Joint Proposed Pretrial Order  | June 1, 2018      | June 1, 2018<br>(unchanged) |
| Proposed voir dire, preliminary jury instructions, special verdict forms   | June 5, 2018      | June 5, 2018<br>(unchanged) |

| Event               | Current Date  | Revised Date                 |
|---------------------|---------------|------------------------------|
| Pretrial Conference | June 8, 2018  | June 8, 2018<br>(unchanged)  |
| Jury Trial          | July 16, 2018 | July 16, 2018<br>(unchanged) |

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Dated: November 17, 2017

IT IS SO ORDERED, this \_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
Leonard P. Stark, Chief Judge